

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Igor K. KOTLIAR.

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For: Hypoxic Tent System

Commissioner for Patents
P.O. Box 1450
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TERMINAL DISCLAIMER

SIR:

The owner, Hypoxic, Inc., of a 100 percent interest in Patent No. 5,964,222 ("the Instant Patent") hereby disclaims, except as provided below, the terminal part of the statutory term the Instant Patent which would extend beyond the expiration date of the full statutory term of Patent No. 5,799,652 (the "Prior Patent") as the term of said Prior Patent is defined in 35 U.S.C. §§154 and 173, and as the term of said Prior Patent is presently shortened by any terminal disclaimer. The owner hereby agrees that the Instant Patent shall be enforceable only for and during such period that it and the Prior Patent are commonly owned. This agreement runs with the Instant Patent and is binding upon the grantee, its successors, or assigns.

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- o is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
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- o is reissued; or
- o is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of Hypoxicco, Inc., the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Instant Patent.

Payment in the amount of \$70.00 in payment of the terminal disclaimer fee under 37 CFR §1.20(d) is included.

Igor K. Kotliar (President)

1/20/2003

Date

Signature



Any additional fees or charges required in connection with this filing at the present time may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

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